

CENTRAL VALLEY  
END USER

The Law Offices of

Est. 1939

**Young Wooldridge LLP**

A LIMITED LIABILITY PARTNERSHIP COMPOSED OF PROFESSIONAL CORPORATIONS

Westchester Corporate Plaza  
1800 30th Street, Fourth Floor Bakersfield, CA 93301 - 5298  
Telephone 661-327-9661 Facsimile 661-327-0720  
<http://www.youngwooldridge.com>Ernest A. Conant  
PartnerJohn Young 1913 - 2003  
Joseph Wooldridge 1913 - 1996  
A. Cameron Paulden 1927 - 1984

April 22, 2005

**VIA FACSIMILE & U.S. MAIL (916) 978-5094**Mr. David Lewis  
Bureau of Reclamation  
2800 Cottage Way, MP-730  
Sacramento, CA 95825**Re: Comments regarding Municipal and Industrial Water Shortage Policy, Draft Environmental Assessment.**

Dear Mr. Lewis:

This letter is submitted on behalf of James Irrigation District and Reclamation District 1606, and for which we serve as general counsel, and the respective landowners and water users regarding the Draft Environmental Assessment for Municipal and Industrial Water Shortage Policy for the Central Valley Project, dated March, 2005 ("Draft M&I EA").

As you are aware, these two Districts have contracted for Project Water from the United States Bureau of Reclamation from the Delta Mendota Canal via the Mendota Pool. Their respective long term renewal contracts do incorporate by reference and M&I policy with respect to the Project Water supplies. In addition, under the original contracts they received Schedule 2 water, which would not be subject to the M&I policy, if and when adopted. The M&I shortage policy which reportedly was going to be shortly finalized at the time of negotiating these contracts was far different than many of the alternatives examined in EA, and the Districts never would have agreed to incorporate by referencing an M&I policy, if some of the alternatives examined in the EA were to become a reality.

These districts have significant concerns with both the legal authority for the M&I Shortage Policy under consideration, along with the analysis in the Draft M&I EA. For the sake of brevity, we incorporate by reference comments of Del Puerto Water District and Westlands Water District.

Classification	ENUG-00
Project	CVP
Control No.	5007929
Folder I.D.	61263

We encourage the Bureau of Reclamation to reconsider the legal authority for the M&I Shortage Policy and to revise and recirculate the Draft M&I EA, taking into account the comments incorporated by this letter.

Your consideration of these comments would be appreciated. If you have any questions, please contact me.

Very truly yours,



Ernest A. Conant

EAC:srs

Cc: James Irrigation District  
Reclamation District 1606  
Del Puerto Water District  
Westlands Water District

*The Law Offices Of*

## **YOUNG WOOLDRIDGE, LLP**

*A LIMITED LIABILITY PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS*

*Water Department/Special Districts*

1800 - 30th Street, Fourth Floor

Bakersfield, California 93301

Telephone (661) 327-9661 • Facsimile (661) 327-0720

DATE: April 22, 2005

### **FASCIMILE TRANSMITTAL SHEET**

<b>To:</b>	<b>David Lewis</b>
<b>Fax No:</b>	<b>(916) 978-5094</b>
<b>From:</b>	<b>Ernest A. Conant</b>
<b>Number of Pages (including cover sheet):</b>	<b>3</b>
<b>Message:</b>	
<input checked="" type="checkbox"/> <b>HARD COPY WILL</b> / <input type="checkbox"/> <b>WILL NOT FOLLOW</b>	
<p>The information contained in this facsimile transmission is confidential and/or privileged. The information is intended only for the use of the individual or entity to whom it is addressed. If you are not the intended recipient, or the employee or agent responsible to deliver this to the intended recipient, you are hereby notified that any use, dissemination, distribution or copying of this communication is strictly prohibited. If you have received the facsimile in error, please notify the undersigned immediately by telephone and return the original transmission to us at the address above via the United States Postal Service. Thank you.</p> <p>Due to the size of some documents, this document may transmit in more than one batch. If there are any problems with receiving the facsimile, please contact Beth of our office at (661) 327-9661 Ext. 190 as soon as possible.</p>	
<b>NOTE: DUE TO THE SIZE OF SOME DOCUMENTS, THIS DOCUMENT MAY TRANSMIT IN MORE THAN ONE BATCH</b>	